



ORIGINAL

## REZONING APPLICATION

### CHESAPEAKE PLANNING DEPARTMENT

☒ Conventional ☐ Conditional ☐ Revised Application No. \_\_\_\_\_

APPLICATION NUMBER: JAN 09 12 R 12 01  
(Assigned by Chesapeake Planning Department)

### GENERAL INFORMATION

**Project Name:** SeaGate Terminals

1. Applicant(s): Seagate Terminals, LLC, a Virginia limited liability company  
Address: P. O. Box 546  
City: Savannah State: GA Zip: 31402  
Daytime Phone: 912-944-3744 FAX Number: 912-232-1077  
E-mail address: kglover@dulanyind.com  
Interest in subject property: Owner
2. Agent(s): Walton P. Burkheimer, Jr., P. E.  
Agency: Engineering Services, Inc.  
Address: 3351 Stoneshore Road  
City: Virginia Beach State: VA Zip: 23452  
Daytime Phone: 757-468-6800 FAX Number: 757-468-4966  
E-mail address: wpb@esiofva.com
3. Owner(s) of property: (If different from applicant)  
Name: Same as Applicant  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_ FAX Number: \_\_\_\_\_  
E-mail address: \_\_\_\_\_

## DECLARATION

APPLICATION NUMBER: JAN 09 12 R 12 01

PRIMARY TAX MAP NUMBER: 1320000000020

### DECLARATION OF PLANNING COMMISSION / CITY COUNCIL INTEREST:

Does any member of the Planning Commission or City Council own or have any personal or financial interest in the land which is subject to this application, or has any personal or financial interest in the outcome of the decisions, as defined by the Virginia Conflict of Interest Act? ☒ No ☐ Yes If yes, please explain:

### DECLARATION OF ACCURACY:

I, the undersigned, certify that this application is complete, accurate and contains all required and requested information, documents and other submittals, and that all statements made herein are, to the best of my knowledge, true and correct. I further certify that I have exercised due diligence to obtain the most recent, complete and correct information available. I understand that wrongful certification or failure to provide required or requested documents that become available after the initial submittal of this application may result in a delay in, or invalidation of, any official governmental action taken. Fraudulent representations may lead to additional penalties under law.

I, the undersigned, also certify that the list of adjacent property owners is complete and correct as of the date of this application submittal. I will update any changes in ownership of the property that is the subject of this application and adjacent property owners upon learning that any such property has been conveyed prior to final action on this application. I understand that if the list of adjacent property owners is determined to be inaccurate, out-of-date or incomplete at a later date, any action taken on this application may be deemed null and void.

### DECLARATION OF FINANCIAL RESPONSIBILITY FOR ADVERTISING COSTS:

I, the undersigned, understand that the cost of newspaper advertising for public hearing notification purposes is my responsibility and agree to pay all notices of payment due and bills associated with advertising costs for this application, including all readvertisements for continuances and appeals. *Party responsible for advertising:* ☒ Applicant ☐ Agent

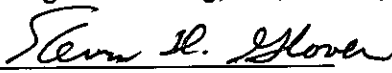
### DECLARATION OF CONSENT:

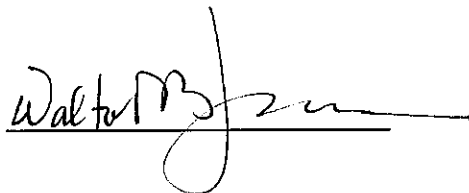
I, the undersigned, consent to entry upon the subject property by public officers, employees, and agents of the City of Chesapeake wishing to view the site for purposes of processing, evaluating or deciding this application.

Applicant/Owner: **Seagate Terminals, LLC**  
a Virginia limited liability company, Applicant & Owner

Agent: **Walton P. Burkheimer, Jr.**

By: **Seagate Handling, Inc.**, a GA corporation, its sole member

By:   
Name, Title: **Kevin D. Glover, President**



## DESCRIPTION OF PROPERTY

1. List all 13-digit Tax Map Number(s): 1320000000020.
2. Street Address (or common description if address is not available):  
120 Jefferson Street
3. Borough: South Norfolk
4. Legal Description of the Property: Southern Branch Elizabeth River 23.32 Acres (City of Chesapeake Assessor's description). Legal description from deed follows:

All that certain place, parcel or tract of land situate in the City of Chesapeake, in the Commonwealth of Virginia, bounded and described as follows:

Beginning at a point in the northern right of way line of Park Avenue, said point being located S. 79° 21' 46" W. 30' from the northwest intersection of Preble Street and Park Avenue, being also the northeast intersection of a branch of the Norfolk and Portsmouth Belt Line Railroad running in a north/south direction and Park Avenue, said streets being shown on the plat of Elizabeth Land and Improvement Company, duly recorded in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia in Map Book 2, at page 97; from said point beginning running S. 79° 21' 46" W. 350' to a pin, thence continuing along said line S. 79° 21' 46" W. 32' to a pin, thence continuing along said line.

S. 79° 21' 46" W. 570.96' to a point located in the bulkhead line of a bulkhead located on the southern branch of the Elizabeth River, thence continuing along said line S 79° 21' 46" W. 251.17' to a point in the pier head line located on the eastern side of the southern branch of the Elizabeth River; turning and running N. 5° 06' 01" W. along the said pier head line in the southern branch of the Elizabeth River 224' to a point, thence running N. 21° 06' 57" W. 321.84' along the said pier head line to a point, thence turning and running N. 62° 30' 03" E. 251.56' to a point located in the bulkhead line aforesaid, thence continuing along said line N. 62° 30' 03" E. 36.94' to a point, thence turning and running N. 27° 29' 57" W. 50' to a point located in the southern right of way line of the Norfolk Portsmouth Belt Line Railroad as shown on a certain plat duly recorded in Map Book 1 at page 83 formerly in the Clerk's Office of the Circuit Court of the City of South Norfolk, Virginia, now the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia; thence turning and running along the said southern right of way line of the Norfolk Portsmouth Belt Line Railroad N. 55° 16' 09" E. 242.56' to a pin; thence continuing along said line N. 55° 43' 30" E. 445.40' to a pin, thence continuing along said southern line of said railroad along an arc to the right having a radius of 2,332.01' an arc distance of 127.99' to a pin; thence running along an arc curve to the right having a radius of 380.28' a distance of 234.98' to a pin located in the western right of way line of the aforesaid branch of the Norfolk Portsmouth Railroad running in a north-south direction, thence turning and running along the said western right of way of the said north-south line of the railroad S. 10° 38' 14" E. 988.37' to the point of beginning aforesaid.

IT BEING part of the same property conveyed to Seagate Terminals, LLC, a Virginia limited liability company, by deed from Peter G. Zemanian, Trustee, dated December 29, 2011 and recorded December 29, 2011 in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia in Deed Book 8574 at page 220.

## DESCRIPTION OF PROPERTY

5. Physical location of the property including boundaries to the north, south, east, and west. State the street frontage, depth, and overall size in square feet/acreage:

**The property is located at 120 Jefferson Street, contains 23.32 acres and is 1,000'± deep at its deepest point. It is bound to the north by property zoned M-2 General Industrial District, to the east by Railroad right of way and property zoned M-2 General Industrial District, to the south by 200'± of frontage to Poindexter Street and property zoned M-2 General Industrial District and to the west by the Southern Branch of the Elizabeth River.**

6. Zoning Information:

- a. Zoning Sheet(s): 278
- b. Current Zoning Classification(s), acreage of each zoning classification, and present use of the property: **The entire Parcel 1320000000020 is currently zoned PUD.**
- c. Proposed Zoning reclassification(s) and acreage of each proposed zoning reclassification(s): **The zoning of M-2 General Industrial District is proposed for the entire property.**
- d. Zoning Overlay District Classification(s), or any special district established in the City Code, where applicable:
- South Norfolk TIF Zone & CBPA**
- e. Adjacent property zoning and uses:

DIRECTION	ADJACENT ZONING DESIGNATIONS/USES
North	M-2 General Industrial District: Industrial
South	M-2 General Industrial District: Industrial
East	M-2 General Industrial District: Industrial
West	Southern Branch of the Elizabeth River

7. Check the Land Use Plan Overlay District in which the property is located:

☒ Urban

☐ Suburban

☐ Rural

8. Land use designation of the property as contained in the City's Comprehensive Plan:

**Poindexter Street Strategic Development Plan**

9. Planning Area: **South Norfolk**

## DEVELOPMENT INFORMATION

### RESIDENTIAL DEVELOPMENT PROFILE

	Enter Year Construction Begins	If Proffered, DUs per Gross Acre	Avg. Market Value Per Unit in Today's Dollars	Avg. Market Value of Comparable Unit in Vicinity	Cumulative Total Units
Townhouse					
Single Family Detached					
Single Family Attached					
Condominium					
Apartment					
Other (Pls. Describe):					

OTHER: \_\_\_\_\_

NOT APPLICABLE

Average Units Built per Year for 5 Year Intervals

Years	1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40
-------	-----	------	-------	-------	-------	-------	-------	-------

Townhouse								
Single Family Detached								
Single Family Attached								
Condominium								
Apartment								
Other (Pls. Describe):								

OTHER: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## DEVELOPMENT INFORMATION

### NONRESIDENTIAL DEVELOPMENT PROFILE

	Enter Year Construction Begins	If Proffered, % of Lot Coverage	Avg. Market Value/Sales Price per Sq. Ft.*	Avg. Market Value/Sales Price of Comparable Sq. Ft. in Vicinity	Cumulative Total Sq. Ft.
Office/ Institutional					
Retail					
Industrial	2012	n/a	\$60	\$50	150,000
Lodging					
Other (Pls. Describe):					

\*Based on construction costs, soft costs, profit & overhead.

OTHER: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

#### Average Floor Area (000's Sq. Ft.) Built per Year for 5 Year Intervals

Years	1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40
Office/ Institutional								
Retail								
Industrial	150							
Lodging								
Other (Pls. Describe):								

OTHER: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## DEVELOPMENT INFORMATION

Applicants must provide the following information on 8½" x 11" size paper, numbered according to the questions in this section. Please restate the questions with your answers. All parts of the development information must be completed for all rezoning requests unless otherwise noted or expressly waived by in whole, or in part, by the Planning Director or respective reviewing department.

### NATURE OF PROPOSED DEVELOPMENT

1. a. Describe the nature of the use or uses proposed for the subject property under the proposed zoning classification.

**The property is proposed to be used as an operating multi-modal terminal, including the following SIC codes: 4013, "Railroad Terminal," 4225, "General Warehousing and Storage," 4226, "Special Warehousing and Storage, Not Elsewhere Classified," and 4491, "Marine Cargo Handling." Other related uses permitted in M-2 may occur.**

- b. Describe the planned development, including the total number of residential units, total square feet of office, commercial, and industrial uses.

**The planned development consists of approximately 150,000 square feet of buildings (including administrative office, dry bulk warehouses, general cargo warehouse and storage vessels), along with paved vehicular areas and railroad tracks and waterfront improvements, all typical of a waterfront multimodal product terminal. All of these assets support the import and export of materials, owned by others, through the property. The terminal will be operated by approximately 15 employees.**

- c. Complete the Residential or Nonresidential Development Profile tables.

**Nonresidential Development Profile table has been completed.**

2. **OPTIONAL:** Thirty (30) copies of an exhibit of the proposed development drawn to scale and three (3) copies of this exhibit reduced to 8½" x 11" paper. **No exhibit is provided.**

### TRAFFIC IMPACT (To be Completed by Agent or Consultant)

3. a. Identify the roads or streets abutting the subject property.

**Subject property has frontage to Poindexter Street to the south. Jefferson Street dead ends at the subject property.**

- b. Indicate if the proposed rezoning is **exempt** from the Level of Service (LOS) test for Adequate Road Facilities based on the following criteria:

☐ The proposed residential rezoning will not allow for the creation of more than five (5) lots for single-family dwellings.

## DEVELOPMENT INFORMATION

- ☐ The proposed residential rezoning will not generate more traffic than would be generated by potential future development under the existing zoning.
- ☒ The proposed nonresidential rezoning will not increase the traffic by more than fifty (50) total vehicle trips per day, as determined by the Director of Development and Permits or designee, than could be generated under the existing zoning.
- ☐ Is the proposed rezoning exempt from the LOS test for adequate road facilities? Include all supporting information.
  - ☒ Yes    ☐ No    If no, additional traffic information may be required. Contact Traffic Engineering **prior to** any traffic data collection or analysis, to determine the extent of information needed for the LOS test for adequate road facilities and to determine whether a Traffic Impact Analysis (TIA) is required.

### DRAINAGE IMPACT ANALYSIS (DIA)

4. The applicant shall address potential drainage impact issues, including how the proposed development will accommodate drainage impacts on the proposed site and surrounding upstream and downstream properties.
  - a. How will this project address increase in stormwater runoff as a result of development? Please note although the post-development peak flow is less than pre-developed, the increase of volume must be addressed in areas with existing deficiencies.  
  
**The property is adjacent to the Southern Branch of the Elizabeth River, an outfall of infinite capacity. Peak flow rate attenuation is not required.**
  - b. What steps will be taken to ensure adequacy of the receiving facility (off-site dynamic drainage analysis of watershed, improvements, etc.)?  
  
**See 4.a. above.**
  - c. Address whether the project will be required to provide for water quantity and/or water quality of stormwater runoff.  
  
**Per 4.a. above, "water quantity" is not a concern. Water quality BMP(s) will be required.**
  - d. What off-site easements and/or improvements are required? What steps have been taken to ensure that these easements can be obtained and that improvements can be constructed?  
  
**Per 4.a. above, no such easements or improvements are required.**



## DEVELOPMENT INFORMATION

- e. Address the current adequacy of the existing drainage receiving facility.

**See 4.a. above.**

- f. Is this development subject to tidal impacts? How will the tides associated with a hurricane or northeaster affect the drainage system?

**The property, being adjacent to a tidal river, is subject to tidal impacts. In the design of the on-site storm drainage/stormwater management system, tidal effects will be modeled in the manner prescribed in the City's *Public Facilities Manual*. Unacceptable adverse effects will be prevented through proper design of the drainage/stormwater system and the setting of properly designed elevations for site and building improvements.**

- g. What steps have been taken to ensure no property damage will result from a 100-year tidal or rainfall event?

**See 4.f. above.**

## WATER AND SEWER IMPACT

5. a. State whether, and in what respect, adequate water and sewer services exist or can be provided to serve the uses that would be permitted if the property were rezoned.

**Adequate water and sewer facilities are available in the adjacent Preble Street right of way.**

- b. If septic tanks and private wells are proposed, provide a soil analysis for the subject property and documentation from the Chesapeake Health Department approving the site for septic tank use.

**No septic tanks or private wells are proposed.**

## FIRE PROTECTION

6. State whether and explain in what respect adequate fire protection services exist or can be provided to serve the uses that would be permitted if the property were rezoned.

**Adequate fire protection services exist by way of Fire Station #1 which is located at 1201 20<sup>th</sup> Street, about 3 minutes (1± mile) away. Fire suppression systems meeting current standards may require offsite water line improvements or construction of on-site tank and pump facilities.**

## **DEVELOPMENT INFORMATION**

### **CONSISTENCY WITH THE COMPREHENSIVE PLAN**

7. In what respect is the proposed zoning classification consistent with the Chesapeake Comprehensive Plan?

The subject property is listed as "Poindexter Street Strategic Development Plan," consistent with the currently existing Belharbour Station PUD zoning. This application proposes to return the subject property to the M-2, General Industrial District to which it was zoned prior to the creation of the PUD. It is requested that, on advice of staff and Planning Commission, City Council, concurrently with this application, modify the Land Use Plan element of the Comprehensive Plan to restore the subject property's Land Use Plan designation to "Water Related Industry," typical of such properties in the vicinity.

### **CHANGED CONDITIONS AND ERRORS**

8. In what respect are there any changed or changing conditions in the area that make the proposed rezoning necessary?

Market conditions have changed, making the viability of a project such as the previously contemplated Belharbour Station PUD unlikely anytime in the foreseeable future. It is therefore appropriate to change the zoning of the subject property back to the M-2, General Industrial District, where it may take advantage of its immediate access to water, rail and interstate highway transportation assets.

9. In what respect will the proposed rezoning correct an error in the application of the Chesapeake Zoning Ordinance as applied to the subject property?

The proposed rezoning will not correct any error in the application of the Chesapeake Zoning Ordinance.

### **COMPATIBILITY OF USES WITH EXISTING USES**

10. In what respect is the range of uses in the proposed zoning district classification compatible with the uses permitted on other property in the immediate vicinity?

As noted above, the effect of this application is, essentially, to erase the creation of the Belharbour Station PUD and return the subject property to the M-2 General Industrial District which, along with M-3, predominates the Southern Branch working waterfront area. Thus, in a broader sense, the proposed M-2 is implicitly compatible with adjacent industrially-zoned areas. The nearest residential properties are ¼ mile to the east, well buffered and separated by the right of way of I-464 and its interchange with Poindexter Street. The City of Chesapeake's Elizabeth River Park and Boat Landing, adjoining to the south, were created with full knowledge that the adjoining properties were a working industrial waterfront, and certainly should remain compatible with a terminal facility constructed and operated to modern standards.

## DEVELOPMENT INFORMATION

### EXISTENCE OF A VIABLE ECONOMIC USE

11. State and explain whether a reasonably viable economic use of the subject property exists under the current zoning classification.

The current mixed use PUD zoning was, on some levels, an exciting and enticing prospect for the property and for South Norfolk, its viability and marketability was always questioned by some, even in the best of economic times. The current recessionary conditions and generally depressed housing, retail and commercial market are likely to make a "Belharbour Station"-like venture at this site infeasible for many years, if such a project would ever be feasible.

### CHESAPEAKE BAY PRESERVATION AREA

12. Is the property located within the Chesapeake Bay Preservation Area?

☐ No ☒ Yes    If yes, submit an RPA and RMA delineation meeting the requirements of Section 26, Article X, of the Chesapeake City Code.

### ENVIRONMENTAL SITE ASSESSMENT

13. Will the application involve land disturbance for residential, assembly, day care, group home, recreation, school, library, or similar land use?

☒ No ☐ Yes    If yes, submit an Environment Site Assessment meeting the requirements of the Chesapeake Public Facilities Manual.

**Additional information may be required by the reviewing departments, Planning Commission, or by City Council in order for the application to be fully and appropriately reviewed.**

**Notwithstanding such criteria, the Planning Director, the Planning Commission, or the City Council may at any time during the review process find that essential information is lacking and may deem the application incomplete and defer further review or action until such time that such information is provided.**

## SPECIAL POWER OF ATTORNEY

Application No: JAN 09 12 R 12 01

Tax Map Number: **1320000000020**

Property Description:

**23.32 acres along and into the southern branch of the Elizabeth River having a current address of 120 Jefferson Street located in the South Norfolk borough and bounded on the north and east by the right-of-way of the Norfolk and Portsmouth Belt Line Railroad Company, on the south by Poindexter Street and property owned by the City of Chesapeake, Virginia, and on the west by the pierhead line located within the waters of the southern branch of the Elizabeth River.**

Nature of zoning reclassification sought: **M-2 General Industrial**

**Seagate Terminals, LLC, a Virginia limited liability company**, is the applicant for the above referenced application and the owner of the property described above and it does hereby make, constitute, and appoint **Walton P. Burkheimer, Jr.**, as its true and lawful attorney-in-fact, and grant unto its attorney-in-fact full power and authority to make application for the rezoning application described above, and to perform all acts and make all representations as such person shall deem necessary or appropriate in regard to said application, without any limitation whatsoever, including but not limited to the following authority: to submit proffers that would constitute binding conditions on the rezoning of the property, including limitations on its use, and to modify or amend any documents in whole or in part relating to the application.

The rights, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the **3rd day of January, 2012**, and shall remain in full force and effect thereafter until actual notice, by certified mail, return receipt requested is received by the Planning Department of the City of Chesapeake stating that the terms of this power have been revoked or modified.

**Applicant/Owner:**

**Seagate Terminals, LLC**  
**a Virginia limited liability company**

By: **Seagate Handling, Inc., a Georgia corporation, its sole member**

By: Kevin D. Glover  
Name, Title Kevin Glover President

State of Georgia  
County of CHATHAM

Subscribed and sworn to before me this 5th day of January, 2012.

My Comm. Exp.  
Feb. 7, 2012  
PUBLIC  
CHATHAM COUNTY, GA

Jean L. McCullough  
NOTARY PUBLIC  
My commission expires on: \_\_\_\_\_

\* If the owner of applicant is a corporation, partnership, or similar entity, documentation must be attached which establishes that the person signing on behalf of the entity has the authority to act on behalf of and to bind that entity.


## ATTORNEY'S CERTIFICATE CONCERNING LIMITED LIABILITY COMPANY

The undersigned attorney for Seagate Terminals, LLC, a Virginia limited liability company (the "Company") in connection with the Company's rezoning application (the "Application") affecting certain real estate located in Chesapeake, Virginia (the "Property") that is described on Exhibit A attached hereto and made a part hereof, hereby certifies as follows:

1. The Company is a limited liability company duly organized and in good standing in the Commonwealth of Virginia.
2. Seagate Handling, Inc., a Georgia corporation ("Member") is the sole member of the Company and its only managing member.
3. Kevin D. Glover is the President of the Member and, as such, has the authority to sign on behalf of the Member and to bind the Company as the applicant in the Application and as the owner of the Property, with respect to all declarations, agreements and undertakings set forth in and related to the Application including, without limitation, the appointment of Walton P. Burkheimer, Jr. as attorney in fact under the Special Power of Attorney and the representations and information set forth in the Statement of Ownership.

This certificate is made for the sole purpose of fulfilling the requirements of the Chesapeake zoning ordinance related to the Application and providing the assurances required under that ordinance.

This certificate is made as of the 9<sup>th</sup> day of January, 2012.

  
\_\_\_\_\_  
Anthony M. Thiel )

## Exhibit A

All that certain place, parcel or tract of land situate in the City of Chesapeake, in the Commonwealth of Virginia, bounded and described as follows:

Beginning at a point in the northern right of way line of Park Avenue, said point being located S.  $79^{\circ} 21' 46''$  W. 30' from the northwest intersection of Prebble Street and Park Avenue, being also the northeast intersection of a branch of the Norfolk and Portsmouth Belt Line Railroad running in a north/south direction and Park Avenue, said streets being shown on the plat of Elizabeth Land and Improvement Company, duly recorded in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia in Map Book 2, at page 97; from said point beginning running S.  $79^{\circ} 21' 46''$  W. 350' to a pin, thence continuing along said line S.  $79^{\circ} 21' 46''$  W. 32' to a pin, thence continuing along said line

S.  $79^{\circ} 21' 46''$  W. 570.96' to a point located in the bulkhead line of a bulkhead located on the southern branch of the Elizabeth River, thence continuing along said line S.  $79^{\circ} 21' 46''$  W. 251.17' to a point in the pier head line located on the eastern side of the southern branch of the Elizabeth River; turning and running N.  $5^{\circ} 06' 01''$  W. along the said pier head line in the southern branch of the Elizabeth River 224' to a point, thence running N.  $21^{\circ} 06' 57''$  W. 321.84' along the said pier head line to a point, thence turning and running N.  $62^{\circ} 30' 03''$  E. 251.56' to a point located in the bulkhead line aforesaid, thence continuing along said line N.  $62^{\circ} 30' 03''$  E. 36.94' to a point, thence turning and running N.  $27^{\circ} 29' 57''$  W. 50' to a point located in the southern right of way line of the Norfolk Portsmouth Belt Line Railroad as shown on a certain plat duly recorded in Map Book 1 at page 83 formerly in the Clerk's Office of the Circuit Court of the City of South Norfolk, Virginia, now the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia; thence turning and running along the said southern right of way line of the Norfolk Portsmouth Belt Line Railroad N.  $55^{\circ} 16' 09''$  E. 242.56' to a pin; thence continuing along said line N.  $55^{\circ} 43' 30''$  E. 445.40' to a pin, thence continuing along said southern line of said railroad along an arc to the right having a radius of 2,332.01' an arc distance of 127.99' to a pin; thence running along an arc curve to the right having a radius of 380.28' a distance of 234.98' to a pin located in the western right of way line of the aforesaid branch of the Norfolk Portsmouth Railroad running in a north-south direction, thence turning and running along the said western right of way of the said north-south line of the railroad S.  $10^{\circ} 38' 14''$  E. 988.37' to the point of beginning aforesaid.

IT BEING part of the same property conveyed to Seagate Terminals, LLC, a Virginia limited liability company, by deed from Peter G. Zemanian, Trustee, dated December 29, 2011 and recorded on December 29, 2011 in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia in Deed Book 8574 at page 220.

## STATEMENT OF OWNERSHIP

Application No: JAN 09 12 R 12 01

The owner(s) and applicant(s) listed on the attached Change of Zoning Application, does/do hereby affirm that the listing attached to, and hereby made a part of this statement of ownership, identifies the names and last known addresses of all of the following persons and entities in regard to the property that is the subject of the application:

1. All applicants, title owners, contract purchasers, and lessees of the property; and, if any of the foregoing is a trustee, each beneficiary having an interest in the property.
2. Where any of those listed in (1) above is a corporation, all shareholders owning ten per cent (10%) or more of any class of stock issued by said corporation and where any of those listed in (1) above is a corporation having ten (10) or fewer shareholders, all such shareholders. This requirement may be waived by the Planning Director where the owner or applicant, as applicable, is a publicly-held corporation.
3. Where any of those listed in (1) above is a partnership, or limited liability company, all such partners, both general and limited, in a partnership, and all members of a limited liability company.
4. Where any of those listed in (1) above is a church, provide a list of all such trustees or if no trustees, then identify the president or vice-president of the corporation or association of the church.

**Attach the listing of names and addresses on business letterhead of either the applicant, owner or agent, as required above.**

**Applicant/Owner:**

**Seagate Terminals, LLC**  
a Virginia limited liability company

**By: Seagate Handling, Inc., a Georgia corporation, its sole member**

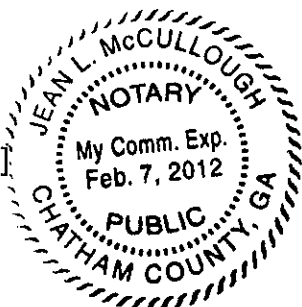
By: Kevin D. Glover  
Name, Title Kevin Glover President

State of Georgia  
County of CHATHAM

Subscribed and sworn to before me this 5<sup>th</sup> day of January, 2012,

Jean L. McCullough  
NOTARY PUBLIC

[Affix Seal]



My commission expires on: \_\_\_\_\_

SEAGATE TERMINALS, LLC  
118 EAST 35<sup>TH</sup> STREET  
SAVANNAH, GA 31402

ATTACHMENT TO STATEMENT OF OWNERSHIP

The following constitutes the response of the applicant to the four questions set forth in the Statement of Ownership to which this list has been attached:

1. Seagate Terminals, LLC, a Virginia limited liability company  
c/o Seagate Industries, Inc., a Georgia corporation  
118 East 35<sup>th</sup> Street  
Savannah, GA 31402
2. Not applicable
3. Seagate Handling, Inc., a Georgia corporation  
118 East 35<sup>th</sup> Street  
Savannah, GA 31402

Seagate Handling, Inc. is the sole member of Seagate Terminals, LLC.

4. Not applicable

Seagate Terminals, LLC  
a Virginia limited liability company

By: Seagate Handling, Inc.  
a Georgia corporation, its sole member

By: Kevin Glover  
Name: Kevin Glover  
Title: President



## ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #: 1260000000052

Name: TTC Partnership

Street: 6071 Catawba Road

City: Troutville

State/Zip: VA 24175-4101

Tax Map #: 1320000000010

Name: Chesapeake Products Inc

Street: P. O. Box 1589

City: Ozark

State/Zip: AL 36361-1589

Tax Map #: 1320000000030

Name: City of Chesapeake

Street: P. O. Box 15225

City: Chesapeake

State/Zip: VA 23328

Tax Map #: 1320000000032

Name: City of Chesapeake

Street: 4032 Bunch Walnuts Road

City: Chesapeake

State/Zip: VA 23322

Tax Map #: 1320000000033

Name: South Norfolk Jordan Bridge LLC

Street: 424 North Calhoun Street

City: Tallahassee

State/Zip: FL 32301-1230

Tax Map #: 1320000000036

Name: South Norfolk Jordan Bridge LLC

Street: 424 North Calhoun Street

City: Tallahassee

State/Zip: FL 32301-1230

Tax Map #: 1320000000050

Name: W S Holdings L L C

Street: 3000 Ferguson Drive

City: Portsmouth

State/Zip: VA 23703

Tax Map #: 1320000000070

Name: Seagate Terminals, LLC

Street: P. O. Box 6186

City: Chesapeake

State/Zip: VA 23323-0186

Tax Map #: 1320000000080

Name: Seagate Terminals, LLC

Street: P. O. Box 6186

City: Chesapeake

State/Zip: VA 23323-0186

Tax Map #: 1320000000090

Name: Seagate Terminals, LLC

Street: P. O. Box 6186

City: Chesapeake

State/Zip: VA 23323-0186

Tax Map #: 1320000000100

Name: Seagate Terminals, LLC

Street: P. O. Box 6186

City: Chesapeake

State/Zip: VA 23323-0186

Tax Map #: 1320000000110

Name: Chesapeake Land Development LLC

Street: 1547 E Little Creek Road

City: Norfolk

State/Zip: VA 23518

<b>ADJACENT PROPERTY OWNERS LIST OF ADDRESSES</b>
---

Tax Map #: 1320000000120

Name: Janie Inez Loyd

Street: 1210 Truxton Street

City: Chesapeake

State/Zip: VA 23324-1324

Tax Map #: 1320000000130

Name: Janie Inez Loyd

Street: 1210 Truxton Street

City: Chesapeake

State/Zip: VA 23324-1324

Tax Map #: 1320000000140

Name: Stanley D. & Jan B. Eure Trustees

Street: P. O. Box 2232

City: Chesapeake

State/Zip: VA 23327-2232

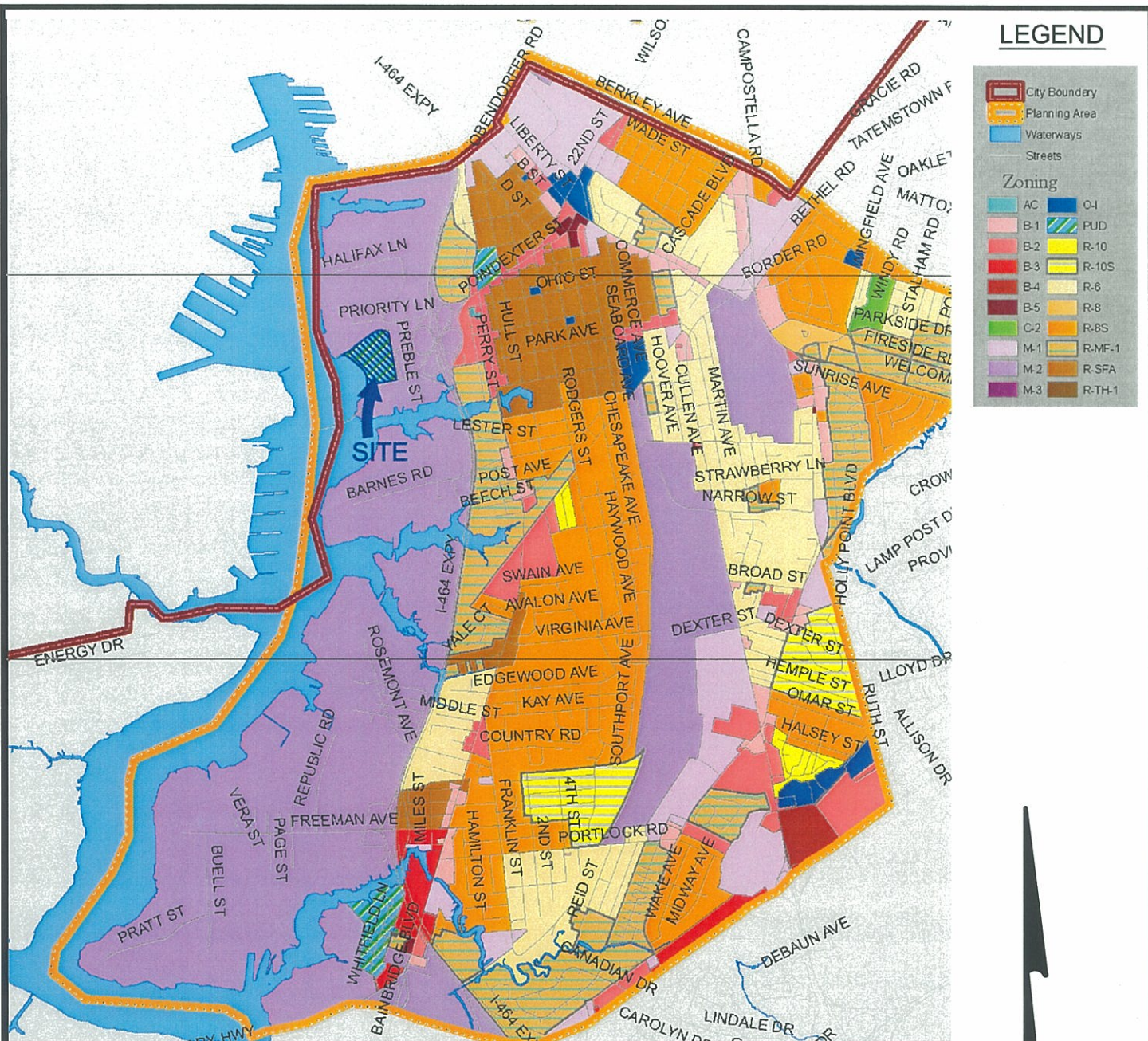
Tax Map #: 1320000000820

Name: N & P Belt Line Rail Road

Street: 1224 Destiny Way

City: Chesapeake

State/Zip: VA 23320

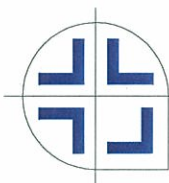


ZONING MAP EXHIBIT  
TO ACCOMPANY REZONING APPLICATION  
FOR

**SEAGATE TERMINALS**

SOUTH NORFOLK BOROUGH, CHESAPEAKE, VIRGINIA

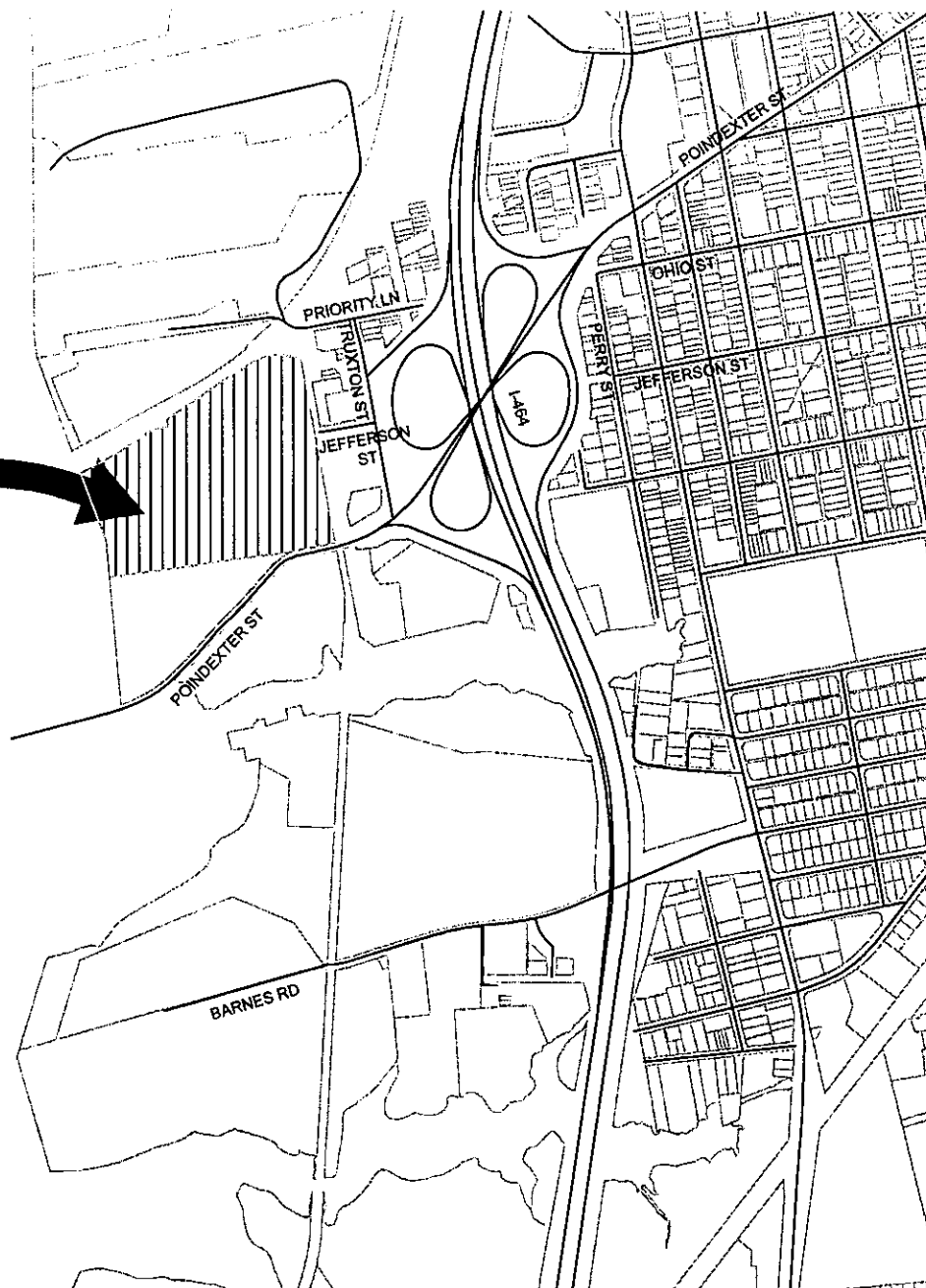
**engineering services inc**



Civil Engineering - Land Surveying  
3351 Stoneshore Road, Virginia Beach, VA. 23452  
(757) 468-6800 FAX (757) 468-4966  
E-mail: email@esiofva.com

Date	Project	Scale:	Drawn By	Page:	Drawing Path/Name
01/09/12	11116	1"=3000'	PAYF	1 OF 1	M:\11\116\Exhibits\Zoning Map\11116 zoning map exhibit.dwg

**SITE**

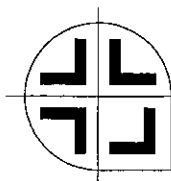


VICINITY MAP EXHIBIT  
TO ACCOMPANY REZONING APPLICATION  
FOR

**SEAGATE TERMINALS**

SOUTH NORFOLK BOROUGH, CHESAPEAKE, VIRGINIA

**engineering services inc**



Civil Engineering - Land Surveying  
3951 Swanton Road, Virginia Beach, VA 23462  
(757) 484-1111 FAX (757) 484-1112  
www.esinc.com

Date	Project	Scale:	Drawn By	Page:	Drawing Path/Name
01/09/12	11116	1"=3000'	PAYF	1 OF 1	M:\11\116\Exhibits\Vicinity Map\11116 vicinity map exhibit.dwg



